
UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

SAVORY SWIG STORES, LLC, a Utah
limited liability company,

Plaintiff/Counterdefendant,

vs.

BLK BRANDS, LLC, a New York limited
liability company; **DOES 1-10**, inclusive,

Defendants/Counterclaimants.

**DEFAULT JUDGMENT AGAINST
DEFENDANT/COUNTERCLAIMANT
BLK BRANDS, LLC**

Case No. 2:22-cv-00491

Judge Ted Stewart

Judge Daphne A. Oberg

The Court hereby ORDERS and DECREES as follows:

With respect to Plaintiff's claim for relief in this action as asserted in its First Amended Complaint:

1. Defendant BLK Brands, LLC ("BLK Brands") has infringed upon and diluted the DIRTY mark, which is trademarked by Plaintiff Savory Swig Stores, LLC ("Swig"), in violation of the Lanham Act and Utah law.

2. BLK Brands, including its agents, servants, employees, and all other persons in privity or acting in concert with them, are permanently enjoined from (a): offering for sale, selling, displaying, advertising, distributing or otherwise trafficking in any product using any mark which is identical to Swig's DIRTY mark, or any other mark, name, symbol, or logo that is a reproduction, counterfeit, copy, or colorable imitation of, incorporates or is confusingly similar to, or is substantially indistinguishable from the DIRTY mark.

3. BLK Brands is hereby ORDERED to deliver to Swig for destruction all advertisements, promotional materials, and product that contains or features the mark used by BLK Brands which is identical to Swig's DIRTY mark, or any other trademarks, names or logos, that are a counterfeit, copy, or colorable imitation of, confusingly similar to, or substantially indistinguishable from the DIRTY mark, as permitted under the Lanham Act, 15 U.S.C. § 1118 and Utah Code §§ 70-30-402, -403.

With respect to the Counterclaim filed by BLK Brands in this action:

1. BLK's First Claim for Relief for Declaratory Relief is DISMISSED with prejudice and on the merits.

2. BLK's Second Claim for Relief for Declaratory Judgment is DISMISSED with prejudice and on the merits.

3. BLK's Third Claim for Relief for Declaratory Judgment is DISMISSED with prejudice and on the merits.

4. BLK's Fourth Claim for Relief for Declaratory Judgment is DISMISSED with prejudice and on the merits.

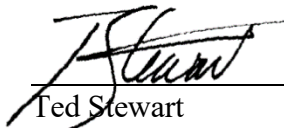
5. Each and every part of BLK's requested relief is hereby DENIED and DISMISSED with prejudice and on the merits.

Additionally, the Court hereby ORDERS as follows:

1. Swig is hereby ORDERED to submit a computation of, and available evidence for, its proposed award of damages, including pre-judgment interest, as permitted under the Lanham Act, 15 U.S.C. §§ 1114; 1116; 1117(a); 1117(c); and 1125 et seq., and Utah Code §§ 70-30-402--403 within fourteen (14) days after entry of this Default Judgment, for the Court's consideration.
2. Swig is hereby AWARDED its reasonable attorneys' fees, costs, and prejudgment interest and is ORDERED to submit evidence of its attorneys' fees and costs, as permitted under the Lanham Act, 15 U.S.C. § 1117, Utah Code §§ 70-30-402, -403, and Federal Rule of Civil Procedure 37(b)(2)(C), within fourteen (14) days after entry of this Default Judgment, for the Court's consideration.
3. BLK Brands' is hereby ORDERED to abandon its pending application before the United States Patent and Trademark Office for the word mark "Dirty Brand," serial number 90632024, with the filing date April 8, 2021.

DATED: January 4, 2024.

BY THE COURT



Ted Stewart
United States District Judge